

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Mar 15, 2023**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,  
Plaintiff,

v.

RICARDO ORIZABA,  
Defendant.

NO. 1:23-CR-02005-SAB

**ORDER GRANTING MOTION  
FOR PROTECTIVE ORDER**

Before the Court are the Government's Unopposed Motion for Protective Order, ECF No. 27, and related Motion to Expedite, ECF No. 28. The motions were heard without oral argument. The Government is represented by Michael Murphy and Richard Burson. Defendant is represented by Jennifer Barnes.

The United States asks the Court to issue a protective order pursuant to Rule 16(d) of the Federal Rules of Criminal Procedure. It asserts a Protective Order is necessary to because the disclosure of certain discovery could lead to flight from prosecution, the destruction of evidence and harm to witnesses. It indicates the motion is unopposed.

Accordingly, **IT IS HEREBY ORDERED:**

1. The Government's Motion to Expedite, ECF No. 28, is **GRANTED**.

2. The Government's Unopposed Motion for Protective Order, ECF No. 27, is **GRANTED**.

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1           3. Pursuant to the motion of the United States and Federal Rule of  
2 Criminal Procedure 16(d), the Court issues the following Protective Order.

3           1. All discovery produced by the United States in this case is for use by  
4 defendant and defense counsel (collectively, “the defense”) solely for  
5 investigating, preparing for trial, trial, and any appeals of this matter and for  
6 no other purpose.

7           2. The defense may not distribute, disseminate, disclose, or exhibit discovery  
8 materials to any person who is not a part of the defense, except as further set  
9 forth herein.

10          3. The defense may share discovery materials with Defendant, but may not  
11 disseminate such materials to Defendant or leave such material in any  
12 detention center.

13          4. Counsel shall ensure that every member of his/her defense team is  
14 advised of the Order and agrees in writing to be bound by its terms.

15          5. The defense shall take all reasonable steps to: (a) maintain the  
16 confidentiality of the discovery, and (b) safeguard the discovery produced in  
17 this case from disclosure to or review by any third party.

18          6. The defense may share discovery materials with any investigators,  
19 consultants or experts retained by the defense in connection with this case,  
20 provided that the defense informs any such individual(s) of this Order and  
21 obtains his/her written agreement to be bound by its terms.

22          7. The defense may show witnesses discovery materials as necessary for  
23 the preparation of the defense, but may not give copies or the materials to  
24 witnesses absent further Order of the Court.

25          8. Upon written request of the United States Attorney’s Office, the defense  
26 shall return or confirm destruction of any and all copies of the discovery to  
27 the United States within 90 days of the conclusion of the proceedings in the  
28 above-referenced case, including any appeal.

1 9. To the extent that any of the criminal discovery materials contain any  
2 individual's personal information, the defense shall redact any filings  
3 referencing or containing said materials.

4 10. To the extent that any criminal discovery materials were filed with the  
5 court under seal, the defense shall file a motion to unseal the documents with  
6 notice to the United States before any pleadings or exhibits referencing or  
7 containing said materials may be publicly filed.

8 11. If defense counsel withdraws or is disqualified from participation in this  
9 case, upon written request of the United States Attorney's Office, the  
10 defense shall return or confirm destruction of any discovery produced  
11 pursuant to the Order to the United States within 10 days.

12 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
13 enter this Order and furnish copies to counsel.

14 **DATED** this 15th day of March 2023.



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A handwritten signature in blue ink, reading "Stanley A. Bastian".

20 Stanley A. Bastian  
21 Chief United States District Judge  
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